

VETOES

(2) AN OWNER OR LESSEE OF A VESSEL MAY NOT ALLOW THE VESSEL TO BE OPERATED ON THE TIDAL WATERS OF THE STATE IN VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION.

~~(B)~~ (C) A PERSON MAY NOT OWN OR OPERATE ON THE TIDAL WATERS OF THE STATE ANY VESSEL MANUFACTURED AFTER JANUARY 1, 1990 THAT IS NOT EQUIPPED WITH A MUFFLER OR DEVICE OR SYSTEM WHICH MUFFLES OR SUPPRESSES ENGINE NOISE IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT.

~~(E)~~ (D) THE DEPARTMENT MAY ADOPT REGULATIONS TO PERMIT EXCEPTIONS TO THIS SECTION, INCLUDING AN-EXCEPTION-FOR-POWER RACING-VESSELS-PARTICIPATING-IN-A-U-S--COAST-GUARD-OR--DEPARTMENT SANCTIONED-RACE EXCEPTIONS FOR:

(1) ECONOMIC HARDSHIP;

(2) VESSELS PARTICIPATING OR PREPARING TO PARTICIPATE IN A U.S. COAST GUARD OR DEPARTMENT APPROVED RACE OR EVENT; AND

(3) THE TESTING, REPAIR, OR DEVELOPMENT OF VESSEL ENGINES CONDUCTED BY A BONA FIDE ENGINE OR BOAT MANUFACTURER OR SERVICE PERSON.

~~(D)~~ (E) IN ADDITION TO THE PROVISIONS OF SUBSECTION ~~(A)~~ (B) OF THIS SECTION, THE DEPARTMENT MAY ADOPT REGULATIONS TO ENFORCE THIS SECTION, INCLUDING REGULATIONS ESTABLISHING NOISE LIMITATIONS.

~~(E)~~ (F) ALL REGULATIONS ADOPTED BY THE DEPARTMENT UNDER THIS SECTION SHALL BE IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT UNDER TITLE 10 OF THE STATE GOVERNMENT ARTICLE.

~~(E)~~ ~~(F)~~ (G) (1) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000-OR-IMPRISONMENT-NOT--EXCEEDING--30 DAYS-OR-BOTH \$500:

(I) FOR THE FIRST OFFENSE, \$500; AND

(II) FOR THE SECOND OFFENSE, \$1,000 OR IMPRISONMENT OF 30 DAYS OR BOTH.

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT LIMIT OR SUPERSEDE ANY OTHER PENALTY THAT MAY BE IMPOSED UNDER THIS SUBTITLE FOR A VIOLATION OF ANY OTHER LAW OR REGULATION ADOPTED UNDER THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~June-17-1989~~ January 1, 1990.